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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/029,921	12/27/2001	Srinivas Gutta	US 010633	5911

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EXAMINER

AST, FATIMA M

ART UNIT PAPER NUMBER

2143

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/029,921

Applicant(s)

GUTTA ET AL.

Examiner

Fatima Ast

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 11 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Examiner notes that claims 1, 4-6, 8-12, 15-17 and 19-24 have been amended and no claims have been added or cancelled. Claims not explicitly addressed herein are found to be addressed within prior Office Action dated 15 March 2005 as reiterated herein below.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.
3. Claim 1 recites the limitation "said comparing step" in line 7. There is insufficient antecedent basis for this limitation in the claim. Based on the limitations as presented by Applicant in the corresponding independent claims 12 and 23, Examiner will interpret the limitation as follows: "said analyzing step".

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 5, 6, 8-10, 12, 16, 17, 19-21, 23 and 24 are rejected under 35

U.S.C. 102(e) as being anticipated by Emens (US 6,493,744).

3. Regarding amended claim 1, Emens discloses a method for preventing a user from obtaining an unmodified electronic media object from one of a local or remote source, comprising the acts of:

4. analyzing at least one of audio and image information associated with said unmodified electronic media object (column 3 lines 8-23, column 6 lines 17-63, where an electronic media object is identified as an HTML document, an audio file or an image file); and

5. preventing a user from obtaining said unmodified electronic media object if said analyzing step determines that said unmodified electronic media object contains one or more predefined inappropriate content items (column 2 lines 36-53, column 3 line 64-column 4 line 16, column 6 lines 28-44, lines 55-63, Figures 4A, 4B, where preventing a user from accessing said electronic media object is identified as filtering and predefined inappropriate content items are identified as a rating repository).

6. Per Applicant's newly amended claims, Emens teaches that a user may obtain a modified electronic media object following the analysis of the unmodified electronic media object (column 3 lines 5-9), wherein such obtainment occurs by the display of the modified electronic media object within a browser on user's computer. The user of Emens is prevented from obtaining the unmodified electronic media object and as such Emens clearly anticipates this limitation in Applicant's amended claim language.

7. Regarding amended claim 12, Emens discloses a system for preventing a user from obtaining an unmodified electronic media object from one of a remote or local source, the system comprising:

8. a memory for storing computer readable code; and

9. a processor operatively coupled to said memory (column 4 line 66- column 5 line 3, wherein a memory and a processor are inherent to a computer), said processor configured to:

a. analyze at least one of audio and image information associated with said unmodified electronic media object; and

b. prevent said user from accessing said unmodified electronic media object if said analyzing step determines that said electronic media object contains one or more predefined inappropriate content items (as noted in claim 1 above).

10. Regarding amended claim 23, Emens discloses an article of manufacture for preventing a user from obtaining an unmodified electronic media object from one of a remote or local source, comprising:

11. a computer readable medium having computer readable code means embodied thereon, said computer readable program code means comprising:

a. a step to analyze at least one of audio and image information associated with said unmodified electronic media object; and

b. a step to prevent user from accessing said unmodified electronic media object if said analyzing step determines that said unmodified electronic media

object contains one or more predefined inappropriate content items (as noted in claims 1 and 12 above).

12. Regarding amended claim 24, Emens discloses a system for preventing access to an unmodified electronic media object, comprising:

13. means for analyzing at least one of audio and image information associated with said unmodified electronic media object; and

14. means for preventing a user from accessing said unmodified electronic media object if said analyzing step determines that said unmodified electronic media object contains one or more predefined inappropriate content items (as noted in claims 1 and 12 above).

15. Regarding amended claims 5 and 16, Emens discloses performing speech recognition on said unmodified electronic media object to determine if said electronic media object includes one or more predefined stop words (column 3 lines 23-31, column 6 lines 17-37, column 7 lines 18-25).

16. Regarding amended claims 6, 8, 9, 17, 19 and 20 Emens discloses performing image processing on said unmodified electronic media object to determine if said unmodified electronic media object includes nudity, violent images or sexually explicit images (column 6 lines 46-63, column 6 line 64-column 6 line 8).

17. Regarding amended claims 10 and 21, Emens discloses said unmodified electronic media object is obtained from a network connection (column 8 lines 43-52).

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claims 2-4 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emens as applied to claims 1 and 12 above, and further in view of Cragun (US 5,832,212).

20. Regarding claims 2 and 13, Emens does not specifically enumerate storing a user profile indicating the Internet browsing privileges of user, however, Emens does teach "preset user limit values" that are compared with rating vectors to determine if content is objectionable and further determine if the content should be displayed. Cragun discloses storing a user profile indicating the Internet browsing privileges of a user (column 2 lines 27-34, column 3 lines 58-65). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to combine the user profile of Cragun with the analyzing of electronic media and prevention of user access to electronic media of Emens (as noted in claims 1 and 12 above) in order to gain the advantage of efficient and effective user control to selectively censor information from the Internet as taught by Cragun.

21. Regarding claims 3 and 14, Cragun discloses said user profile indicates categories of content that a user may access (column 3 lines 62-65, column 8 lines 16-39).

22. Regarding amended claims 4 and 15, Cragun discloses comparing said unmodified electronic media object to said Internet browsing privileges of a user (column 2 lines 29-34, column 3 lines 53-65, column 4 lines 41-50).

23. Claims 7 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emens as applied to claims 1 and 12 above, and further in view of Forsyth ("Identifying nude pictures" Forsyth, D.A., Fleck, M.M.).

24. Regarding claims 7 and 18, Emens does not specifically enumerate said nudity is determined by identifying human skin, however, Emens does teach, "image processing" and further teaches recognition of discrete objects. Forsyth discloses determining nudity by identifying human skin (p 103 column 2 line 39-p 104 column 1 line 1, p 104 "2. Finding Skin"). It would have been obvious to combine the image processing techniques taught by Forsyth with the invention of Emens in order to gain the advantage of controlling segmentation problems in image processing and the advantage of an effective recognition system that can work in quite general environments as taught by Forsyth.

25. Claims 11 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emens as applied to claims 1 and 12 above, and further in view of PR Newswire ("WorldLink Announces New Product for Broadcasting Audio and Video").

26. Regarding amended claims 11 and 22, Emens does not specifically enumerate said unmodified electronic media object is generated in real-time by a camera, however, Emens does teach electronic media objects such as web pages (column 2 line 38), sound files and image files (column 5 lines 19-22). PR Newswire discloses an

electronic media object generated in real-time by a camera (full text lines 5-8, 38-40, 42-45). It would have been obvious to combine the real-time video of PR Newswire with the invention of Emens in order to gain the advantage of increased public communication as disclosed by PR Newswire.

Response to Arguments

1. Applicant's arguments filed 11 May 2005 have been fully considered but they are not persuasive. Applicant's arguments do not comply with 37 CFR 1.111(c) because they do not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. Further, they do not show how the amendments avoid such references or objections.
2. In response to Applicant's argument that Emens does not disclose the newly amended features (as noted in the amended claim language), the original rejection has been amended as noted herein above, which amended rejection clearly overcomes Applicant's arguments.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

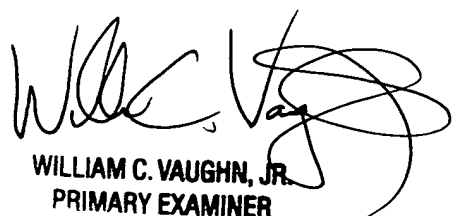
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fatima Ast whose telephone number is (571) 272-7217. The examiner can normally be reached on M-F, 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Fatima Ast
Examiner
Art Unit 2143

FMA


WILLIAM C. VAUGHN, JR.
PRIMARY EXAMINER